

REMARKS

The Office Action has been reviewed and the Examiner's comments carefully considered. Claims 1, 11, and 20-22 are amended. Claim 7 is canceled. Claim 23 is added. Thus, claims 1-22 remain pending and are submitted for reconsideration.

Rejection of claims 1-15 and 20-22 based on Garner and Desprez

Claims 1-15 and 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,527,063 ("Garner") in view of U.S. Patent 6,595,543 ("Desprez"). The rejection should be withdrawn because Garner, Desprez, or any combination thereof fails to disclose, teach, or suggest the claimed invention.

For example, claim 1 (as amended) recites a cover for an airbag module comprising a plate member and a frame member with an extension member and a plurality of engaging holes disposed on the extension member for receiving connecting portions of the retainer. Claims 20-22 include similar or analogous features, among other things. Garner discloses a delivery chute 22 with a plurality of tabs 70 separated by a plurality of grooves 72. (Column 3, lines 57-64 of Garner.) Each tab 70 is covered by a pocket 62 formed on the outside surface of the airbag fabric for retaining the airbag. (Column 3, lines 44-55 of Garner.) The delivery chute does not have a plurality of engaging holes for receiving connecting portions of the retainer. Quite the contrary, the housing 30 of Garner is attached to brackets or other suitable supports on the vehicle via fasteners 32. (Column 3, lines 3-10 of Garner.) Because Garner does not teach a plurality of engaging holes disposed on the extension member of the frame member, Garner does not teach or suggest all the features of claims 1 and 20-22.

Desprez does not cure the deficiencies of Garner. Indeed, one with skill in the art would not be motivated to add such engaging holes on the delivery chute 22 of Garner because such holes would interfere with the engagement of the pockets 62 of the airbag with the tabs 70 of the delivery chute. This interference would make the pockets and tabs of the device of Garner unsuitable of its intended purpose, contrary to MPEP 2143.01,¹ thus making such a modification not obvious.

¹ "If proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984)."

Claims 2-6 and 8-15 depend from and contain all the features of claim 1, and are allowable therewith for at least the reasons set forth above, without regard to the further patentable limitations contained therein.

Claim 7 has been canceled, which renders the rejection of this claim moot.

Favorable reconsideration of the rejection based on Garner and Desprez is respectfully requested.

Rejection of claims 13-17 based on Garner, Desprez, and Suzuki

Claims 13-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Garner, Desprez, and U.S. Patent 6,601,870 (“Suzuki”). The rejection should be withdrawn because Garner, Desprez, Suzuki, or any combination thereof fails to disclose, teach or suggest the claimed invention. Claims 13-17 depend from and contain all the features of claim 1. As previously mentioned, no combination of Garner and Desprez teaches or suggests a plurality of engaging holes disposed on the extension member of the frame member. Indeed, one with skill in the art would not be motivated to add such engaging holes in the delivery chute 22 of Garner because such holes would interfere with the engagement of the pockets 62 of the airbag with the tabs 70 of the delivery chute, thus making the pockets and tabs of the device of Garner unsuitable of its intended purpose, contrary to MPEP 2143.01. (See footnote 1.) Suzuki does not cure these deficiencies. Thus, claims 13-17 are not rendered unpatentable over the prior art and the rejection should be withdrawn. Favorable reconsideration of the rejection based on Garner, Desprez, and Suzuki is respectfully requested.

Rejection of claims 18-19 based on Garner, Desprez, and Hagen

Claims 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Garner, Desprez, and U.S. Patent 5,651,562 (“Hagen”). The rejection should be withdrawn because Garner, Desprez, Hagen, or any combination thereof fails to disclose, teach or suggest the claimed invention. Claims 18-19 depend from and contain all the features of claim 1. As previously mentioned, no combination of Garner and Desprez teaches or suggests a plurality of engaging holes disposed on the extension member of the frame member. Indeed, one with skill in the art would not be motivated to add such engaging holes in the delivery chute 22 of Garner because such holes would interfere with the engagement of the pockets 62 of the airbag with the tabs 70 of the delivery chute, thus making the pockets and tabs of the device of Garner unsuitable of its intended purpose, contrary to MPEP 2143.01. (See footnote 1.) Hagen does not cure these deficiencies. Thus, claims 18-19 are not rendered unpatentable

over the prior art and the rejection should be withdrawn. Favorable reconsideration of the rejection based on Garner, Desprez, and Hagen is respectfully requested.

Conclusion

It is believed that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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By 

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